



Order Filed on May 19, 2023
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1

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In re:

NEW ENGLAND MOTOR FREIGHT, INC., *et al.*,¹

Debtors.

Chapter 11

Case No. 19-12809 (JKS)

(Jointly Administered)

**ORDER CONFIRMING THE LIQUIDATING TRUSTEE'S AUTHORITY
PURSUANT TO THE PLAN AND LIQUIDATING TRUST AGREEMENT**

The relief set forth on the following pages, numbered two (2) through and including three (3), is hereby **ORDERED**.

DATED: May 19, 2023



Honorable John K. Sherwood
United States Bankruptcy Court

¹ The Debtors in these Chapter 11 Cases and the last four digits of each Debtor's taxpayer identification number are as follows: New England Motor Freight, Inc. (7697); Eastern Freight Ways, Inc. (3461); NEMF World Transport, Inc. (2777); Apex Logistics, Inc. (5347); Jans Leasing Corp. (9009); Carrier Industries, Inc. (9223); Myar, LLC (4357); Mylon, LLC (7305); Hollywood Avenue Solar, LLC (2206); United Express Solar, LLC (1126); and NEMF Logistics, LLC (4666).

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Upon the motion (the "Motion")² of the Liquidating Trustee appointed in the above-captioned Chapter 11 Cases seeking entry of an order, pursuant to section 105(a) of the Bankruptcy Code, Article XIII of the Plan, and paragraph 31 of the Confirmation Order, confirming the Liquidating Trustee's authority pursuant to the Plan and Liquidating Trust Agreement to prosecute, abandon, and settle Causes of Action; and the Court having jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334; and venue being proper before the Court pursuant to 28 U.S.C. §§ 1408 and 1409; and consideration of the Motion being a core proceeding pursuant to 28 U.S.C. § 157(b); and it appearing that proper and adequate notice of the Motion has been given and that no other or further notice is necessary; and upon the record herein; and the Court having determined that the relief sought by the Motion is in the best interests of the Debtors, their estates, and creditors; and after due deliberation and good and sufficient cause appearing therefor;

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED as set forth herein.
2. Notwithstanding any indication otherwise in the Plan (including, without limitation, in Article VII.A.6. thereof), and as provided in Article IX.A.4. of the Plan, the Liquidating Trustee has authority to pursue, abandon, settle or release any or all such Causes of Action, as the Liquidation Trustee deems appropriate, without the need to obtain approval or any other or further relief from the Bankruptcy Court, except as set forth in the Liquidating Trust Agreement.

² Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Motion.

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3. The requirement set forth in Local Rule 9013-1(a)(3) that any motion or other request for relief be accompanied by a memorandum of law is hereby deemed satisfied by the contents of the Motion or otherwise waived.

4. The Liquidating Trustee is authorized to take all actions necessary to effectuate the relief granted pursuant to this Order.

5. Notwithstanding the applicability of any of the Bankruptcy Rules, the terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

6. The Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation of this Order.